

On November 29, 1922, defendant Max Rosen entered a plea of guilty to the information, and the court imposed a fine of \$75. On May 8, 1923, defendant Edward Musen entered a plea of guilty to the information and the court imposed a fine of \$75.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11494. Adulteration of chloroform. U. S. v. 24,200 Cans, et al., of Chloroform. Default decree of condemnation, forfeiture, and destruction with respect to a portion of the product. Consent decrees of condemnation and forfeiture with respect to remainder, and product released for nonmedicinal purposes. (F. & D. Nos. 16427, 16441, 16442, 16578, 16580. S. Nos. E-3958, E-3970, E-3971, E-4022, E-4024.)

On June 20, June 21, July 6, and July 7, 1922, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 37,053 cans of chloroform at New York, N. Y., alleging that the article had been shipped from Philadelphia, Pa., between the dates of December 16, 1921, and April 13, 1922, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform for Anaesthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the chloroform in one shipment was turbid, contained impurities decomposable by sulphuric acid and chlorinated decomposition products, and upon evaporation it left a foreign odor; that in another shipment it was turbid, contained chlorid, impurities decomposable by sulphuric acid, odorous decomposition products, and chlorinated decomposition products, and upon evaporation it left a foreign odor; that in another shipment it was turbid, contained hydrochloric acid, free chlorine, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and upon evaporation it left a foreign odor; and that in the remaining shipments it was turbid, contained hydrochloric acid, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and upon evaporation it left a foreign odor.

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On January 5, 1923, no claimant having appeared for 436 cans of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 436 cans of the article be destroyed by the United States marshal. On September 12, November 22, and December 4, 1922, respectively, judgments providing for the condemnation and forfeiture of the remainder of the product were entered by consent of the respective claimants, and it was ordered by the court that the product be released, on condition that it be not used for medicinal purposes, upon payment of the costs of the proceedings.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11495. Adulteration and misbranding of vinegar. U. S. v. 70 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16887, 16888, 16889, 16890. I. S. No. 6530-v. S. No. C-2926.)

On October 23, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 70 barrels of vinegar, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., on or about September 11, 1922, and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pure Cider Vinegar Made From Apples Reduced To 4% * * * Man'f'd By The Powell Corp Canandaigua, N. Y."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Pure Cider Vinegar Made From Apples," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.